

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

HEADWATER RESEARCH LLC,

Plaintiff,

vs.

AT&T SERVICES, INC., AT&T MOBILITY,
LLC AND AT&T CORP.,

Defendants.

Case No. 2:23-cv-00397-JRG-RSP

JURY TRIAL DEMANDED

JOINT NOTICE REGARDING PENDING MOTIONS TO COMPEL

In advance of the hearing set for February 5, 2025, Plaintiff Headwater Research LLC (“Headwater”) and Defendants AT&T Services Inc., AT&T Mobility LLC, and AT&T Corp. (“AT&T” or “Defendants”) jointly file this notice regarding the status of the pending motions to compel (Dkt. Nos. 94, 95, 96).

A. Defendants’ Motion to Compel Production of Documents, Supplemental Interrogatory Responses, and Amended Privilege Log (Dkt. No. 94)

After conferring on the issues raised in this motion, the parties have resolved all issues raised in this motion except the following issues, which remain outstanding:

- **Documents Produced to other Defendants:** AT&T maintains that Headwater should be compelled to produce all relevant documents produced by Headwater to Samsung, T-Mobile, or Verizon Wireless but not produced to AT&T.
- **Valuation Documents:** AT&T maintains that Headwater should be compelled to produce all valuations of the asserted patents, its patent portfolios, and the company itself.
- **Ownership Documents:** AT&T maintains that Headwater should be compelled to

produce documents regarding Russ, August & Kabat's direct or indirect ownership interest in Headwater or Headwater's affiliates.

B. Defendants' Motion to Compel Supplemental Interrogatory Responses (Dkt. No. 95)

After conferring on the issues raised in this motion, the parties have resolved all issues raised in this motion except the following issues, which remain outstanding:

- **Interrogatories 20 & 21:** AT&T maintains that Headwater should be compelled to disclose Russ, August & Kabat's ownership interest in Headwater or Headwater's affiliates and the terms of such ownership interest.
- **Interrogatories 26 & 27:** AT&T maintains that Headwater should be compelled to (i) identify every patent that Headwater or ItsOn disclosed to AT&T prior to the filing of this action, and (ii) for each asserted claim identify the date prior to the filing of this action that Headwater contends AT&T was aware of alleged infringement.

C. Headwater's Motion to Compel Relevant Usage Data (Dkt. No. 96)

After conferring on the issues raised in this motion, the parties have resolved all issues except as to two requests that AT&T is still investigating:

- Data regarding how many units of the accused products were sold by AT&T vs. provided by the customers as Bring Your Own Device (BYOD) devices; and
- Data regarding what times of day AT&T's cellular network is being used by customers for communicating data.

Dated: February 3, 2025

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**AT&T CORP., AT&T MOBILITY LLC,
AND AT&T SERVICES INC.**

CERTIFICATE OF CONFERENCE

Counsel for Plaintiff and counsel for Defendants have complied with the meet and confer requirements of Local Rule CV-7(h). The parties agree in the filing of this Joint Report Regarding Pending Motions to Compel.

/s/ Nicholas Mathews
Nicholas Mathews

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system on February 3, 2025.

/s/ Nicholas Mathews
Nicholas Mathews